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# "The Right to Know": Decolonizing Native American Archives

## **Cover Page Footnote**

The author wishes to thank the editors of the journal, peer reviewers, and various others who have reviewed previous versions of this article. This article is dedicated in the memory of Ally Krebs.

# “The Right to Know”: Decolonizing Native American Archives

Jennifer R. O'Neal

## ABSTRACT

This work examines the historic and current policies regarding Native American archives, detailing the broader historic landscape of information services for tribal communities, the initiative to develop tribal archives in Indian Country, and the activism surrounding the proper care and management of Native American archive collections at non-Native repositories. Utilizing Vine Deloria's "Right to Know" call to action, the paper analyzes major activities and achievements of the national indigenous archives movement with a specific focus on archival activists and tribal communities in the American West who were at the forefront of a grassroots movement to establish and develop tribal archives, return and secure tribal history and rights during the restoration era, and establish training and best practices for the respectful care of indigenous collections. Possible next steps are suggested for decolonizing Native American archives within the context of the *United Nations Declaration on the Rights of Indigenous Peoples*.

## Introduction

Over the past decade Native American archives have witnessed a significant transformation across the United States. More than any time before tribal communities are establishing strong, growing archival collections documenting their histories; numerous non-tribal repositories are collaborating with and developing shared stewardship protocols with tribal communities regarding Native American collections; and some archive and information science graduate programs are incorporating indigenous ways of knowing and managing records into the curriculum. Although there still exists significant areas for improvement, including the continued development of tribal archival repositories and successful relationships between tribal and non-tribal repositories, it is imperative to examine these accomplishments within the larger historical context of Native American archival history and decolonizing framework to propose possible next steps in the continued movement to develop and sustain tribal archives.

This article examines the historical context and major achievements of the national indigenous archives movement with a specific focus on projects and initiatives at repositories and communities in the American West that serve as an

example of the role archives and archivists should represent in the development and stewardship of tribal archives, especially for those serving and working with indigenous communities so egregiously affected by the legacy of conquest.<sup>1</sup> During the late twentieth century, as a larger movement developed to provide information services to tribal communities across the United States, the archives and information professionals in the West emerged as leaders in tribal archives by developing innovative methods for managing heritage collections, contributing to national and regional trainings, and building collaborations between Native American and non-Native American repositories. These specific contributions provide a lens through which to examine both the national and regional activism that have contributed significantly to the larger goal of decolonizing Native American archives, which applies and builds upon the methodological framework presented by Linda Tuhiwai Smith regarding decolonizing research, by replacing Western ways of managing tribal archives with those rooted in the indigenous epistemological traditional ways of knowing and stewarding collections.<sup>2</sup>

To examine and situate this topic, this paper utilizes the framework established and set forth by Native American activist and scholar Vine Deloria, Jr. (Standing Rock Sioux) in his 1978 report, "The Right to Know," prepared for the White House Preconference on Indian Library and Information Services On or Near Reservations held October 19-22, 1978, in Denver, Colorado. In this preparatory paper, Deloria called for the implementation of specific services and practical solutions for Native American archives, cultural heritage, and traditional knowledge held in public repositories. As noted by Allison Krebs (Chippewa), "Not only did Vine leave fingerprints across Indian Country, he also left 'to do' lists in each of his fields of study and a cadre of scholars busily working away at implementing them... For all that Deloria was an activist and visionary, he was also pragmatic."<sup>3</sup> Indeed, Deloria argued the federal government's treaty responsibility includes accountability for tribal communities' educational "need to know; to know the past, to know the traditional alternatives advocated by their ancestors, to know the specific experiences of their communities, and to know about the world that surrounds them..." Thus, he argues that through tribal self-government that there should therefore be "direct funding from the federal government to tribes for library, information and archival services." Deloria then calls for specific action in seven areas by the federal government and tribal communities that fall "within the scope of treaty educational provisions," including:

1. This paper is an expansion of topics first examined by the author in "Respect, Recognition, and Reciprocity: The Protocols for Native American Archival Materials," in *Identity Palimpsests: Archiving Ethnicity in the US and Canada*, eds. Dominique Daniel and Amalia Levi, 125-142 (Sacramento, CA: Litwin Press, 2014), presented at the Community Informatics Research Network conference in Prato, Italy, October 2013.
2. Linda Tuhiwai Smith, *Decolonizing Research Methodologies: Research and Indigenous Peoples* (London, England: Zed Books, 1999).
3. Allison Boucher Krebs, "Native America's Twenty-First-Century Right to Know." *Archival Science* 12, no. 2 (June 2012): 173-190.

- Inventory and catalog of existing records in federal possession
- Duplicate and make accessible pertinent Native American historical records
- Develop information services customized for tribal communities
- Develop library and information science education for tribal members
- Provide digitization capabilities for tribal cultural resource centers
- Establish regional research centers
- Appropriate acquisition funding for repatriation

Finally, he contends, “the only missing element in fulfilling these promises is the will to act and the intelligence to create wise and substantial programs.”<sup>4</sup> Enveloped within this call to action is Deloria’s recognition that information and knowledge are critical to the sovereignty and self-determination of Native nations. Thus, this paper aims to analyze this historic charge, both in regards to the development of tribal archives as a recognition of independence from the federal government and the work being done by non-Native repositories, specifically how the West in particular participated in these movements historically. Deloria urges that these tasks are duties that should be met by the federal government, as many of them are due to historic broken treaties, however this work argues that these goals should be met by *all* United State entities, federal, state, and local, as the access to and assistance with tribal archives for Native Americans is an inherent human right.

To set the foundation and provide context for the transformative work concerning tribal archives, this paper first reviews the basic historic national movement and current policies regarding Native American cultural heritage archives, detailing the broader historic landscape of information services for tribal communities in the late 1970s and early 1980s, the initiative to develop tribal archives in Indian Country, and the activism surrounding the proper care and management of Native American archive collections at non-Native repositories. Throughout, the paper will highlight and analyze major activities, participation, and accomplishments in Native American archives based upon Deloria’s “Right to Know” rubric that reveals that archival activists and tribal communities in the American West were at the forefront of a grassroots movement to establish and develop tribal archives, return and secure basic tribal history and rights during the restoration era, and establish training and best practices for the respectful care of indigenous collections. Finally,

4. Vine Deloria, *The Right to Know: A Paper* (prepared for the White House Pre-Conference on Indian Library and Information Services on or Near Reservations), Office of Library and Information Services, U.S. Department of the Interior, Washington, D.C., 1978, 13-17. For a full report of the October 19-22, 1978, conference, see U.S. Department of the Interior, *Self-Determination Requires Information Power! The Report of Record on “The White House Pre-Conference on Indian Library and Information Services On or Near Reservations,”* (Washington, D.C.: Center for Information and Library Services, 1980).

from this evaluation possible next steps will be suggested for a future roadmap for tribal archives within the context of the *United Nations Declaration on the Rights of Indigenous Peoples*.

## Native American Historic Trauma and Displaced Archives

The activism surrounding tribal archives is a direct response to the historical effects that exclusion, annihilation, and discrimination have had on Native American communities, traditional lifeways, and culture since the European colonization of North America. Since the Spanish invasion, and later America's efforts to colonize the indigenous people, Native American history has been wrought with conflict, destruction, genocide, severe poverty, and the continued loss of culture and collective memory. The majority of this difficult history stems from the divisive settler relationship between Native Americans and Europeans, who invaded and claimed native land through military action (killing thousands of Indians in the process), removing tribal communities from their traditional homelands to reservations, and forcibly removed children from their families to attend boarding schools, in an effort to "kill the Indian, save the man."<sup>5</sup> Moreover, not only were tribal children physically taken from their parents, so were their cultural traditions, including languages, songs, dances, and rituals, the effects of which still remain today and for generations to follow.<sup>6</sup> Formal resolutions concerning these atrocities have occurred for some indigenous communities across the Western Hemisphere, including Canada and Australia through formal reconciliation commissions. Although the United States issued an apology in 2009, it has not further developed any avenues for reciprocity.<sup>7</sup>

5. This saying encapsulated the federal government's policy to "Americanize" the Native American population, mainly through the education of Native youth. The United States established hundreds of boarding schools across tribal reservations, which provided vocational and manual training that sought to systematically strip away tribal culture and lifeways, including Indian names, native languages, and traditional dress and hair. Not surprisingly, both the Native youth and parents resisted the schools as much as possible. The results of the boarding schools had horrific effects on native culture and families. See K. Tsianina Lomawaima and Brenda J. Child, eds. *Away From Home: American Indian Boarding School Experiences, 1879-2000* (Phoenix, AZ: Heard Museum, 2002); Brenda J. Child, *Boarding School Seasons: American Indian Families, 1900-1940* (Lincoln, NE: University of Nebraska Press, 2000); Tim Giago, *Children Left Behind: The Dark Legacy of Indian Mission Boarding Schools* (Santa Fe, NM: Clear Light Publishing, 2006).
6. Clifford Trafzer, Jean A. Keller, and Lorene Sisquoc, *Boarding School Blues: Revisiting American Indian Educational Experiences* (Lincoln, NE: University of Nebraska Press, 2006).
7. Unlike Canada's and Australia's formal apologies, this apology was not read aloud by the head of government, the President of the United States. Canada created the Truth and Reconciliation Commission and Australia established a Council for Aboriginal Recognition. For an examination of the Canadian case, see Mark D. Walters, "The Jurisprudence of Reconciliation: Aboriginal Rights in Canada," *The Politics of Reconciliation in Multicultural Societies*, Bashir Bashir and Will Kymlicka eds., (Oxford and New York: Oxford University Press, 2008), 165-91; Truth and Reconciliation Commission of Canada, <http://www.trc.ca/> (accessed August 1, 2013). For an examination of the Aboriginal case, see Damien Short, *Reconciliation and Colonial Power: Indigenous Rights in Australia* (Burlington, VT: Ashgate, 2008).

Thus, there has not been a formal transformative event resulting in a national inquiry or an urgent professional call to action to correct injustices across the board; rather activism and reciprocity has occurred independently within isolated professions and not in a concerted unifying effort.

Since the conquest of North America, tribal communities have continually fought for their sovereignty, legal rights, self-determination, and the restoration of their tribal status after termination—the United States policy from the mid-1940s to the mid-1960s that ended the government's recognition of sovereignty of tribes, trusteeship of Indian reservations, and exclusion of Indians from state laws. Later, during the restoration era, beginning in the mid-1970s and lasting until the mid-1980s, terminated tribes began to seek formal federal recognition, but tribal communities encountered significant challenges when faced with finding and presenting historical records for their legal case. Before then, tribal archivists were nearly non-existent, yet the prospect of federal recognition spurred communities to develop their own libraries and archives. However, due to two major factors, the tribal communities faced large hurdles to obtain and locate these historical records.

First, similar to other indigenous peoples of the Western Hemisphere, Native American history and traditional knowledge is passed down orally from one generation to the next based upon cultural protocols. Up until the mid-twentieth century, many tribal communities produced few written records. Second, due to the United States' colonization of Native Americans resulting in broken treaties and termination, hundreds of non-Native repositories, including universities, historical societies, and federal agencies in the United States, hold much of the physical archival collections that document Native American history and lifeways in far-removed repositories outside of tribal communities. The bulk of the historical documentation derives from anthropologists, ethnographers, historians, and amateur collectors who were part of intense collecting during the late nineteenth-century due in part to the development of the anthropology field and, more starkly, the belief that Native American communities were disappearing as a people and a distinct culture. The resulting collections, which included a variety of types of items such as field notes, manuscripts, and recordings, were often donated to universities, local and state historical societies, museums, and religious organizations, that were frequently far from the source community they studied. Most often the records arrived at these repositories for various reasons and usually without the knowledge or consent of the tribal community. Additionally, federal and state agencies, namely the Smithsonian Institution, Bureau of Indian Affairs, and Department of War, produced a significant amount of historical documentation on hundreds of tribal communities, which now resides at the National Archives in Washington, D.C. and at numerous branches across the United States.<sup>8</sup>

8. Michael F. Brown, *Who Owns Native Culture* (Cambridge, MA: Harvard University Press, 2003). For a full review of this concept specifically regarding Native American intellectual property rights, see James D. Nason, "Native American Intellectual Property Rights: Issues in the Control of Esoteric Knowledge," in *Borrowed Power: Essays on Cultural Appropriation*, Bruce Ziff and Pratima V. Rao,

Due to this complex situation, notable historian William T. Hagan declared in April 1978, just months before Deloria's call to action, "to be an Indian is to have non-Indians control your documents from which other non-Indians write their versions of your history," thus situating Native Americans as an "archival captive."<sup>9</sup> Hagan specifically highlighted the fact that although numerous volumes of records exist, namely annual reports by Indian agents and correspondence from the Bureau of Indian Affairs, "these records were almost exclusively the product of white men...who often misinterpreted what they were observing," yet researchers read and analyze these reports a century later without knowing the proper context or interpretation for tribal communities.<sup>10</sup> He even goes so far as to provide examples of his own inaccuracies in his research, which made him conclude that significant damage could be done to Native American history if things did not change significantly. Thus, he contends, unfortunately, "the key to those archives is in the hands of non-Indian historians and ethno-historians."<sup>11</sup>

Consequently, in the same vein as Deloria, Hagan postulates a variety of solutions to the issue, including trying to extract from the documents a much needed Native American perspective. However, he concludes that this had proved unsuccessful previously since the majority of the research and access to the archives "is in the hands of non-Indian historians and ethno-historians... What is at stake for the Indian is his historical identity, and all that can mean for self-image and psychological well-being."<sup>12</sup> Although these words were written during a rise of Native American consciousness, activism, and the movement by numerous terminated tribal communities to regain control of political rights and cultural heritage, he concludes that although the establishment of tribal archives is beneficial for tribal communities, it "will never free Native Americans of dependence upon the collections over which non-Indians preside."<sup>13</sup> Thus, in what seemed like a radical idea at the time, Hagan ends with a plea for cooperation and understanding between archivists and tribal communities to ensure that historic tribal records could be accessed, as well as to provide control back to the community. Hagan further cautions archivists to remember that they may "not fully appreciate their power to facilitate or frustrate the researcher, Indian or non-Indian."<sup>14</sup> Therefore, he gives the simple suggestion of

eds., (New Brunswick, NJ: Rutgers University Press, 1997), 237-254; and James D. Nason, "Traditional Property and Modern Laws: The Need for Native American Community Intellectual Property Rights and Legislation," *Stanford Law and Policy Review* 12 (2001): 225-66.

9. William T. Hagan, "Archival Captive—The American Indian," *The American Archivist* 41, no. 2 (April 1978): 135.
10. *Ibid*, 137.
11. *Ibid*, 138.
12. *Ibid*, 138-139.
13. *Ibid*, 141.
14. *Ibid*.



making researchers feel welcome, especially Native Americans, who may have never been to an archive before. Hagan clearly understood the inherent power that archivists wield regarding records and access to those records. While Hagan gave a strong call to action, especially toward non-Natives in the archival and history profession, it would be quite some time before the larger profession saw clear examples of following through with his suggestions.<sup>15</sup> While his statements establish the much-needed initiative that tribal communities and archivists within federal, state, and local entities should work collaboratively together, I would contend that the establishment of archives within tribal communities is just as important, as it is a manifestation of self-determination and sovereignty. Thus, these actions should occur simultaneously to ensure the present and future needs of Native Americans are met. I will first examine the activism surrounding the development of tribal archives and then discuss the collaborative initiative through the context of the development of *The Protocols for Native American Archival Materials*.

## Development of Tribal Archive Records, Repositories, and Training

Since the late 1970s and early 1980s, as a result of the restoration movement and in an effort for greater control of the preservation and dissemination of their own history, an increasing number of tribal communities created their own repositories for the care of their historic collections.<sup>16</sup> During this time the United States witnessed an explosion of Native American's requesting access to and researching their records at numerous non-Native repositories across the nation as they worked to produce "official" documents required for federal recognition applications and litigation. This process prompted many tribal communities to realize that not only should they should gain access to these records, but, more importantly, they should collect copies of these records to add to their own tribal records that they could

15. I am not suggesting that archivists were not perhaps thinking about these suggestions, especially for those whose responsibility it was to work with Native American communities. For an example of this work see Herman J. Viola, "American Indian Cultural Resources Training Program at the Smithsonian Institution," *The American Archivist*, 41, no. 2 (April 1978), 143-146. This program was one of the most successful and innovative for reaching out and working with tribal communities to conduct archival research on their cultural history. As noted by Viola in his article, "the program is designed to interest Indian Americans in becoming professional archivists and historians, and to instill in them a desire to learn more about their heritage and to share this knowledge with all Americans by publishing and preserving the surviving records of their past." However in the larger archival profession evidence does not exist that this work was being implemented at any other institutions or that it was being accepted as a new method of practice.
16. For lists of tribal archives, libraries and museums, see Elizabeth Peterson, *Tribal Libraries in the United States: A Directory of American Indian and Alaska Native Facilities* (Jefferson, NC: McFarland, 2007). For initial guidance on establishing tribal archives see John Fleckner, *Native American Archives: An Introduction* (Chicago, IL: Society of American Archivists, 1984). For a historic report on information services for tribal communities, see *Pathways to Excellence: A Report on Improving Library and Information Services for Native American Peoples* (Washington, D.C.: U.S. National Commission on Libraries and Information Science, 1992).

manage, control, and share with their larger tribal community. These actions reflect the first three items on Deloria's "Right to Know" list—inventory existing records in federal possession, copy important historical documents, and develop information services for tribal communities. Although Deloria envisioned the federal government undertaking the first two, this has never been formally initiated so many tribal communities took this effort on themselves.<sup>17</sup>

An early foundational structure for the development of basic tribal community information services, including tribal libraries and archives, began with the establishment of Tribally Controlled Community Colleges (TCCC) in the 1960s. As a result of Indian activism, socioeconomic reforms of the Great Society, and the development of self-determination, tribal colleges provided the structure for Native Americans to assert their sovereignty, gain an education, and do so from an indigenous perspective. These institutions provided the larger structure to then develop small tribal libraries and archives that begin to provide basic information services for tribal communities. Specific examples of western tribal archives contributing to this effort include the Cherokee in Oklahoma, Navajo, Crow, Salish-Kootenai, and Nez Perce, to name a few. However, although this movement is inspiring and provided the structure for information services, tribal colleges faced significant challenges including limited funding, poor facilities, and geographical isolation. Nevertheless, some of these schools began directly funding initiatives with their own internal funds, including casino revenue. Despite significant challenges, tribal colleges continue to thrive and make significant economic, social, and cultural impacts for the students and the larger tribal communities they serve.<sup>18</sup>

During the early 1980s the status of Native American archives was finally brought to the national forefront when a group of concerned professional archivists and tribal community members began to investigate tribal archives across the United States. This consortium group, which consisted of a variety of Native and non-Native professional organizations including the Society of American Archivists, applied for a National Endowment for the Humanities planning grant, entitled the Native American Archives Project, to assess the status of these collections and determine next steps.<sup>19</sup> Through this project the group decided that their focus would be on

17. This is not to say that work has not been done by the federal government. The National Archives and Records Administration does in fact inventory and detail records in their repositories, including those related to Native American communities. However, there is not a formal initiative to assist tribal communities with this process. Figuring out the collection and organization of federal records is a very laborious undertaking that requires significant time and knowledge of the records organization.

18. Steve J. Crum, "Indian Activism, the Great Society, Indian Self-Determination, and the Drive for an Indian College or University, 1964-71" *American Indian Culture and Research Journal* 31 (2007): 1-20.

19. The full list of groups included: American Association for State and Local History; American Indian Library Association; Native Arts and Culture Foundation; National Anthropological Archives, Smithsonian Institution; National Archives and Records Administration; North American Indian Museum Association; Office of Museum Programs, Smithsonian Institution; and Society of American Archivists.

assisting tribal communities develop their archives, as well as assisting in regional education efforts, which was a specific item highlighted by Deloria in his call to action—library and information science education for tribal members. From this planning grant the group was able to conduct a survey to determine the present status of archives in tribal communities; responses confirmed that a comprehensive archival program was desperately needed in Indian Country. The group then turned their attention to developing such a program through an NEH Implementation grant, which was successfully awarded and resulted in six regional training sessions and production of the booklet “Native American Archives: An Introduction” by John Fleckner.<sup>20</sup> In the introduction Dave Warren, then Director of the Cultural Research and Resources Center at the Institute of American Indian Arts, reflected that although recent legislation and the status of the Native American in the United States are causes for concern in tribal communities, the “real issue...is cultural survival” and an investment in archives will sustain “the living memory of a people” and create “a foundation for future development of a society.”<sup>21</sup> The work by this group was groundbreaking and paved the way for additional activism by future archivists.

Accordingly, during the restoration era, in a quest to assert and reclaim their sovereignty, tribal community activists and leaders sought to gather federal records that documented Native American history. Since the federal government’s establishment and collection of these archival records is considered part of colonialism, the act of Native Americans gathering and repurposing these records for their benefit is indeed an act of decolonization.<sup>22</sup> One of the first major projects proposed for this initiative, “Tribal Archives Northwest,” occurred within the region in 1985. In direct result of restoration and the need to preserve tribal resources, the purpose of the project was to preserve “the historical records and the ways of life of the forty organized tribes in the federal jurisdiction of the Portland Area office of the Bureau of Indian Affairs.”<sup>23</sup> As noted above, their main concern stemmed from the fact that most important vital records resided at a variety of federal, state, and local repositories. Although these records were scattered at different repositories, all the participants agreed that all tribal communities had an understanding and interest in preserving these historic records and making them easily accessible. They also noted how many of the tribes had worked with or hired professional scholars to assist with federal recognition and that perhaps it would be most beneficial to bring those scholars together for the benefit of the regional tribal communities. The project also

20. “Native American Archives Project,” Congress of American Indian Records (NMAI.AC.010), National Museum of the American Indian; and John Fleckner, *Native American Archives: An Introduction* (Chicago, IL: Society of American Archivists, 1984).

21. Fleckner, *Native American Archives*, v, viii.

22. For a full analysis of indigenous decolonization methodologies, see Linda Tuhiwai Smith, *Decolonizing Methodologies: Research and Indigenous Peoples* (London, England: Zed Books, 1999).

23. “Tribal Archives Northwest: A Proposal,” ca. 1985, Congress of American Indian Records (NMAI.AC.010), National Museum of the American Indian.

proposed training for tribal members regarding the gathering and preservation of tribal history and archives. A quote from the official proposal encapsulates the significant importance of the need for this project:

*The establishment or improvement of tribal archives today is of critical importance to the tribes. Their survival as distinct peoples in this nation depends largely on extent, quality, and accessibility of tribal archives. Many of the elders have passed from this life, and the ratio of very young to very old tribal members continues at an alarming rate to produce a generation of a very high proportion of tribal members under twenty years of age, with those over sixty rapidly disappearing for the tribal scene. The preservation of the remnants of their culture falls upon a very young segment of the population who are beset by many distractions and little opportunity to learn the ways or history of their people. This is due in large part to inability to access such records as do exist, and almost total lack of training of tribal members in archival matters until very recent years.*<sup>24</sup>

The main task of the project included conducting an initial in-depth assessment of tribal archival resources in the Portland region, including tribes in Idaho, Oregon, and Washington. An additional outcome included working with Northwest tribes to develop and strengthen “a plan for the preservation of their cultural heritage, and assist them in searching for financial resources, cultural institutions and resources,” as well as “the development, acquisition, or improvement of a selected number of tribal or inter-tribal archives.”<sup>25</sup> In addition, they sought to network already established tribal archives with those that needed assistance. The report and survey provided the raw data required to show how far behind tribal communities were in the preservation of their records and their access to crucial historical records. This project and the leaders submitting this initiative were at the forefront of critical and innovative work that needed to occur regarding the collaborative gathering and development of tribal archives in the Northwest, as well as the training needed for the tribal community members.

While this work continued on an ad hoc basis across the nation, one of the most notable models and examples of decolonization work effectively implemented occurred at the University of Oregon. The Southwest Oregon Research Project (SWORP), initiated in 1995 by local scholars and tribal traditional knowledge keepers, sought to return copies of widely scattered national documents pertaining to the history of the Native peoples of Western Oregon. Many of the significant documents were underutilized and languished in national repositories, mainly in Washington, D.C., and thus remained inaccessible to the tribal communities of Oregon as they sought to write their own tribal histories and submit paperwork for federal recognition after termination. The tribes had to prove that they had a living culture

24. Ibid.

25. Ibid.

and a continuous functional government. With this assistance of support from a variety of entities, but mainly due to the dedication and tenacity of the team, in 1997 the SWORP project officially repatriated copies of hundreds of materials to the Oregon tribes and the University of Oregon through a formal Potlatch ceremony. The project and collection allows Native American and university scholars to continue to research and rewrite histories of colonization that have been imposed upon Native peoples.<sup>26</sup>

In addition to this work, tribal archives training and opportunities for professionals has transformed exponentially over the course of the past ten years. In the summer of 2003 the State of California hosted the first ever Western Archives Institute devoted to training Native American and Tribal Archivists. The intensive two-week program addressed specific concerns relating to the preservation of Native American and Tribal records. In addition, the program provided integrated instruction in basic archival practices for those who either worked with tribal records but perhaps did not have formal training. The institute was well attended by tribal archivists across the United States and brought about the groundbreaking presentation given by the WAI participants at the Society of American Archivists conference in Boston the following year.<sup>27</sup> In addition, in 2005 the Society of American Archivists sponsored a specific program to ensure that Native American archivists could attend the annual meeting and receive special training. The program was hugely successful and resulted in the establishment of the Native American Archives Roundtable. However, due to the short-term funding of the project it only last for two years.<sup>28</sup> At about the same time Alyce Sadongei, then serving at the Arizona State Museum, led the first national gatherings for tribal archives, libraries, and museums, which proved widely successfully. This foundational work led to further conferences, trainings, and the eventual establishment of the Association of Tribal Archives, Libraries, and Museums, which has become the official organization for professional development in this area and fills a gap in specific training for tribal community members working with these collections.<sup>29</sup> Most recently, regional

26. A full examination and analysis of this project is in this special issue: David Lewis and George Wasson, "Native Nations in the Anthropological Archives: The Southwest Oregon Research Project." For the complete finding aid, including an overview of the project, see <http://nwda.orbiscascade.org/ark:/80444/xv14723> (accessed March 1, 2014). This collection remains the most heavily accessed and utilized collection in the University of Oregon Libraries Special Collections and University Archives. See also David G. Lewis and Deanna Kingston, "The History and Context of Oregon Tribal Language Archival Collections," in *Teaching Oregon Native Languages* (Oregon State University, 2007).
27. "Archives Institute To Be Held for Native American and Tribal Archivists," *Easy Access Newsletter*, vol. 29 (1) March 2003; and "Native Women Panel Makes SAA History," *Archival Outlook*, November/December 2004, 10-11.
28. Briana L. Bobb and Marnie Atkins, "Strengthening Tribal Archives: NHPRC Grant Funds Tribal Archivists at New Orleans 2005; Roundtable Established," *Archival Outlook*, September/October 2005, 21, 31.
29. See the Association of Tribal Archives, Libraries, & Museums website for a full list of previous meetings, reports, and publications, <http://www.atalm.org/>.

repositories and institutions have undertaken special training for tribal communities. This includes the Oregon Tribal Archives Institute, co-sponsored by Oregon State University and University of Oregon, and the Convening Culture Keepers program, sponsored by University of Wisconsin-Madison.<sup>30</sup>

### **Tribal Archives at Non-Native American Repositories: *The Protocols for Native American Archival Materials***

As previously noted, tribal communities have asserted their self-determination and sovereignty through the creation of tribal archive repositories as a way to reclaim control of their cultural history and heritage. However, the development of these repositories did not address the issues surrounding the numerous collections housed at non-Native repositories across the United States. The care and preservation of Native American cultural heritage archives at these institutions present numerous practical and theoretical challenges for mainstream archivists who often receive education and training from a Western perspective, or who lack traditional knowledge of tribal practices.

During the restoration era, activism expanded to focus on Native American religious and cultural practice rights.<sup>31</sup> More recently, over the past twenty-five years, engagement increased surrounding the care and preservation of Native American cultural heritage, most notably concerning collections housed at non-tribal museums, which culminated in the passage of the Native American Graves Protection and Repatriation Act (NAGPRA) in 1990.<sup>32</sup> While this legislation met one of Deloria's call to action items—funding to the tribal communities for repatriation—and significantly increased collaboration between curators, anthropologist, and tribal communities regarding the care of human remains, funerary and sacred objects, and objects of cultural patrimony, this law did not provide guidance or regulations regarding the care and preservation of Native American archival collections at non-native repositories, including both tangible and intangible items.<sup>33</sup>

30. A full examination of the Oregon Tribal Archives Institute is included in this special issue by Natalia Fernández; see also <http://wpmu.library.oregonstate.edu/oregon-multicultural-archives/2013/01/09/tai-website/> (accessed March 1, 2013); and for details about The Convening Culture Keepers see <http://www.slis.wisc.edu/convenecultkeep.htm> (accessed March 1, 2014).

31. American Indian Religious Freedom Act, 42 U.S.C., §1996. See also, *Native American Cultural and Religious Freedoms*, ed. John R. Wunder (New York, NY: Garland Publishing, 1999).

32. Native American Graves Protection and Repatriation Act, 25 U.S.C., §§3001-3013, (2006). See also Jack F. Trope and Walter R. Echo-Hawk, "The Native American Graves Protection and Repatriation Act: Background and Legislation," in *Repatriation Reader: Who Owns American Indian Remains?*, ed. Devon A. Mihesuah (Lincoln, NE: University of Nebraska Press, 2000), 123-168.

33. See Nina Swidler et. al., *Native Americans and Archaeologists: Stepping Stones to Common Ground* (Walnut Creek, CA: AltaMira Press, 1997), and T.J. Ferguson, "Native Americans and the Practice of Archaeology," *Annual Review of Anthropology* 25 (1996): 63-79.

Although there had been significant concern and activism concerning tribal archives, after the passage of NAGPRA in 1990 this activism and awareness only intensified and expanded the conversations. While NAGPRA was drafted regarding human remains, funerary objects, sacred objects and objects of cultural patrimony, legislations did not exist for the proper care and disposition of Native American archival material, including tangible—records, manuscripts, pictures—and intangible cultural property—songs, dances, oral history. Yet more and more questions emerged regarding these collections as federal agencies, museums, and historical societies adhered to NAGPRA legislation.<sup>34</sup> Many began to wonder what would come next after NAGPRA and if the law would extend into the realm of archives.<sup>35</sup> These discussions began to take place within the context of NAGPRA for museums, especially with museum curators, anthropologists, and archaeologists; however, archivists were slow to join the discussion since archive repositories were not part of the official process.<sup>36</sup> While increased opportunities for collaboration and discussion of these issues and collections existed, they did not result in action, as archivists and tribal communities were unsure where to begin. It is critical to highlight these historical events and the effects they had for a better understanding of the contemporary concerns of both Native and non-Native archivists, which influenced the development of archival guidelines and protocols.

A grassroots movement emerged in the late 1990s and early 2000s to establish solutions to these issues. To provide guidance and inform archivists on best practices regarding Native American archives, the *Protocols for Native American Archival Materials* was drafted in 2006 by a group of information professionals, both Native American and non-Native American, including archivists, librarians, museum curators, historians, and anthropologists.<sup>37</sup> Spearheaded by Karen Underhill at

34. James D. Nason, "Native American Intellectual Property Rights: Issues in the Control of Esoteric Knowledge," in *Borrowed Power: Essays on Cultural Appropriation*, eds. Bruce Ziff and Pratima V. Rao (New Brunswick, NJ: Rutgers, 1997), 238-239.
35. Nason, "Native American Intellectual Property Rights," 242-252; James D. Nason, "Beyond Repatriation: Cultural Policy and Practice for the Twenty-first Century," in *Borrowed Power: Essays on Cultural Appropriation*, eds. Bruce Ziff and Pratima V. Rao (New Brunswick, NJ: Rutgers University Press, 1997), 291-312; and Marjane Amber, "Cultural Property Rights: What's Next After NAGPRA?," *Tribal College Journal* Fall (1996), 8-11.
36. To see a result of this collaboration, see Lawrence E. Sullivan and Alison Edwards, eds., *Stewards of the Sacred* (Washington, DC: American Association of Museums, 2004). This work, which featured both native and non-native perspectives, was partially based on the 2001 "Stewards of the Sacred" symposium organized by Harvard University's Center for the Study of World Religions and provided concrete examples and guidelines for museum professionals regarding stewardship of collections with native communities.
37. First Archivists Circle, *Protocols for Native American Archival Materials*, <http://www2.nau.edu/libnap-p/protocols.html> (accessed August 1, 2013). For a full overview of the Protocols see: Karen J. Underhill, "Protocols for Native American Archival Materials," *RBM: A Journal of Rare Books, Manuscripts, and Cultural Heritage* 7, no. 2 (2006): 134-145.

Northern Arizona University, the group met to identify professional best practices for the culturally responsive care and use of American Indian archival material held by non-tribal organizations. Although the guidelines were developed specifically for non-tribal repositories, drafters envisioned that the *Protocols* could also be tangentially applied to tribal institutions to provide guidance regarding responsibilities toward and collaborative action with the repositories holding their historic collections. The contributors mainly envisioned that the document would open the lines of communication between tribal and non-tribal repositories for ongoing national discussions around different approaches to the management, preservation, and transmission of Native American knowledge and information resources. Once published, the document was shared with various organizations and individuals for consideration, implementation, and endorsement. Although endorsed and successfully implemented by some organizations and repositories, not all archive professional groups agreed with the document, specifically with guidelines concerning access, use, and repatriation.<sup>38</sup> While not all archival organizations endorsed the *Protocols*, the document brought to the forefront issues surrounding Native American archives and began much needed conversations about their care and preservation. More importantly, it broadened discussions and viewpoints surrounding ways of managing these archival collections from a Native perspective.<sup>39</sup>

Rather than going against established archival theories, the *Protocols* actually support archival theory and practices through the theoretical concepts of the post-custodial model for participatory and community archives, with a deep foundation in the model of social justice archiving.<sup>40</sup> Furthermore, the *Protocols* exist in the context

38. The following organizations, institutions, and Native American communities endorsed the principles expressed in the *Protocols*: American Association for State and Local History, First Archivists Circle, Union of British Columbia Indian Chiefs, Union of British Indian Chiefs Resource Centre, Native American Archives Roundtable (Society of American Archivists), and Northern Arizona University Cline Library.

39. For previous examinations of the *Protocols* see Randall C Jimmerson, *Archives Power: Memory, Accountability and Social Justice* (Chicago, IL: Society of American Archivists, 2009), 342-363; Kimberly Christen, "Opening Archives: Respectful Repatriation," *The American Archivist* 74 (2011): 185-210; Kay Mathiesen, "A Defense of Native Americans' Rights Over Their Traditional Cultural Expressions," *The American Archivist* 75 (2012): 456-481; John Bolcer, "The Protocols for Native American Archival Materials: Considerations and Concerns From the Perspective of a Non-Tribal Archivist," *Easy Access: Newsletter of the Northwest Archivists, Inc.* 34 (2009): 3-6. See also Anne J. Gilliland, "The Bringing Them Home Report, Indigenous Protocols, and The Aboriginal and Torres Strait Islander Data Archive (ATSIDA)," in *Telling Stories About Stories: Digital Archives Across Time, Space, Cultures and Communities* (Litwin Press, in process, expected publication date: 2014), access to work and permission to cite granted by author, email correspondence, September 17, 2013.

40. For a full analysis of this topic see my recent publication, "Respect, Recognition, and Reciprocity: The Protocols for Native American Archival Materials," in *Identity Palimpsests: Archiving Ethnicity in the US and Canada*, eds. Dominique Daniel and Amalia Levi, (Sacramento, CA): Litwin Press, 2014), 125-142. Katie Shilton and Ramesh Srinivasan, "Participatory Appraisal and Arrangement for Multicultural Archival Collections," *Archivaria* 63 (Spring 2007): 87-101. For a recent review of post-custodial theory



of the “archival turn” in ethnic archiving that argues that new non-western perspectives are desperately needed in archival education, practice, and the profession at large to broaden the understanding of different methods of managing cultural heritage collections.<sup>41</sup>

As noted by Deloria, it is imperative that we have rights to and responsibilities for our history and knowledge. The involvement and development of the *Protocols* has ensured that a Native perspective is included in the archival record. The profession should evolve to serve the growing needs of communities that require different ways of managing and accessing their records, including tribal communities. Archivists should be able to do both in a balanced way—the traditional work of acquiring, accessioning, and processing records, as well as incorporating aspects of social justice into our daily work. Overall, we should perhaps expand our Western theoretical frameworks and open up to the notion that perhaps these theories are not useful for all collections, especially those ethnic communities and other minorities with long histories of oppression and injustices. This expansion will ensure that the profession considers and explores a variety of perspectives and ways of knowing that can positively influence the stewardship of these collections.

### ***Next Steps: The United Nations Declaration of the Rights of Indigenous Peoples***

Recent international policies regarding indigenous human rights have ushered in a new transformative time for the protection of Native American cultural heritage that can specifically transform the development of and access to tribal archives. When President Obama endorsed the *United Nations Declaration of the Rights of Indigenous Peoples* (UNDRIP)<sup>42</sup> in 2010, three years after the majority of other nations signed the document, the action indicated a significant change in policy for indigenous peoples of the United States who have continued to suffer the consequences of broken treaties and termination. Although the adoption of the *Declaration* is a momentous event in the history of the world and the United States for indigenous peoples, as the core rights are founded in existing international human rights law, the document is unfortunately not an official binding international law or treaty. Despite this fact, the purpose and specific articles of the *Declaration* can instead serve as an aspirational policy tool to influence, advocate, and educate various areas of practice, including the development, management, and stewardship of tribal archives, libraries, and museums.

applied to settler and human rights archives: T-Kay Sangwand, “Human Rights Archiving,” *Archival Outlook*, July/August 2014, 10-11, 36.

41. Dominique Daniel, “Documenting the Immigrant and Ethnic Experience in American Archives,” *The American Archivist* 75 (2010): 82-104.

42. United Nations, “Permanent Forum on Indigenous Issues,” <http://undesadspd.org/indigenouspeoples/declarationontherightsofindigenouspeoples.aspx> (accessed March 1, 2014).

Walter Echo-Hawk, Native American attorney, tribal judge, and law professor, contends that the *Declaration* is “planting the seeds of change” for Native American law and practices with self-determination at the core. Indeed, he argues that although the *Declaration* is seen as non-binding, “the *Declaration* can provide guidance and persuasive authority to spark social, cultural, and political transformations, which often run deeper into the fabric of a nation than superficial legal change.” He further notes that the *Declaration* “envisions a more direct and collaborative route to effectuate its provisions and fully realize indigenous human rights...call[ing] upon states to work in consultation with indigenous peoples to develop appropriate measures to affirmatively implement the standards into the domestic law and policy of individual nations.” Indeed, Echo-Hawk concludes that this “social movement must demand progress before substantial changes are made to embrace the UN standards.”<sup>43</sup> Specifically, he called on those engaged in tribal archives, libraries, and museums to serve as advocates and implement standards for change utilizing specific *Declaration* articles referencing cultural heritage.<sup>44</sup> Most importantly, he notes that the *Declaration* should be utilized as a catalyst for change and that it is “an important tool to help achieve goals that were beyond reach by prior generations.”<sup>45</sup>

Indeed the foundational purpose of UNDRIP, recognizing indigenous peoples’ rights and traditional knowledge, can guide archives and archivists, especially those in the American West with strong ties to the indigenous peoples of the region who were directly affected by the legacy of conquest. Since, to this date, the United States has not taken direct action to implement the *Declaration*, it is therefore left up to each community, group, and discipline to carry out their own plan of action. Thus, to fulfill the specific goals suggested by Deloria’s “Right to Know” imperative, as well as Echo-Hawk’s contemporary call to implement the *Declaration* “to heal the historical injuries inherited from the misdeeds of Manifest Destiny,” archivists should incorporate these specific goals into their work with indigenous communities and archives.<sup>46</sup>

- Continue to duplicate and make accessible pertinent Native American historical records for indigenous communities
- Establish indigenous research centers at native and non-Native repositories

43. Walter Echo-Hawk, *In The Light of Justice: The Rise of Human Rights in Native America and the UN Declaration on the Rights of Indigenous Peoples* (Golden, CO: Fulcrum Publishing, 2013), 3-6.

44. Walter Echo-Hawk, Keynote Address: “The New Order of the Day: How the United Nations Declaration on the Rights of Indigenous Peoples Affects Tribal Archives, Libraries, and Museums,” (presented at the Association of Tribal Archives, Libraries, and Museums conference, Honolulu, Hawaii, September 25, 2011) .

45. Walter Echo-Hawk, *In The Light of Justice*, 26.

46. *Ibid*, 249.

- Infuse indigenous ways of knowing into the management and stewardship of Native American collections
- Increase funding for tribal archives, libraries, and museums
- Develop library and information science education for tribal members
- Provide digitization capabilities for tribal cultural resource centers

Collectively, these objectives provide specific direction for implementing the major tenants of the *Declaration* which calls for transformative steps with the ultimate goal of decolonizing Native American archives through healing, reconciliation, and restorative justice.

## Conclusion

In 1978, Vine Deloria provided a clear call to action regarding Native American's "Right To Know" that included a detailed roadmap for areas of focus and concern specifically regarding tribal archives, indigenous information, and traditional knowledge. In nearly all seven items of his "to-do list," the tribal archives and activists committed to this grassroots movement, especially those in the American West, proved the "will to act" and contributed significantly to ensuring tribal communities had access to historic records, inventoried pertinent collections, and received archival education training. Furthermore, archivists in the American West were at the forefront of these initiatives and led the way in the larger profession and organizations, including work in gathering dispersed records, surveying tribal communities, establishing professional organizations, and developing much needed policies on the care and management of Native American archives at non-tribal repositories. Although important work has been accomplished over the past thirty years, significant work still remains to be done regarding further development of national and international tribal archives policies regarding UNDRIP, continued development of regional training, and the support of tribal archives by federal, state, and local repositories. The success of this work rests upon the collaboration and development of these goals between all parties, both Native and non-Native archivists. As we work together toward common goals we can ensure that Deloria's "Right to Know" continues and that the *Declaration* is implemented for future generations, thereby continuing the transformative work of decolonizing Native American archives.